

AMENDED IN SENATE MARCH 27, 2000

SENATE BILL

No. 2084

Introduced by Senator Polanco

February 25, 2000

~~An act to amend Section 260 of, to amend and renumber Section 390 of, and to add Sections 288 and 289 to, the Vehicle Code, relating to vehicles. An act to amend Sections 10752, 10753, 10753.1, 10753.2, and 10753.9 of, and to add Section 10851.5 to, the Revenue and Taxation Code, and to amend Sections 260, 550, 630, 4000, 4004, 4150.1, 4458, 5000, 5014, 5015, 5016, 5017, 5101, 5103, 5106, 5108, 5204, 5301, 5302, 5305, 5902, 8000, 8054, 9250.7, 9250.8, 9250.10, 9250.13, 9250.14, 9250.19, 9260, 9261, 9400, 9406, 36010, and 36109 of, and to add Sections 288, 289, 468, 4000.6, 5014.1, 9250.20, 9400.1, 9406.1, 9554.2, 27910, and 42030.1 to, and to amend and renumber Section 390 of, the Vehicle Code, relating to vehicles.~~

LEGISLATIVE COUNSEL'S DIGEST

SB 2084, as amended, Polanco. ~~Vehicles: definitions fees.~~

~~Existing law defines commercial vehicle and manufacture's gross vehicle weight rating.~~

~~This bill would specify that the definition of commercial vehicle includes trailers and semitrailers. This bill would replace the term "manufacture's gross vehicle weight rating" with the term "gross vehicle weight rating" and define that term. This bill would also define the terms "declared combined gross vehicle weight" and "declared gross vehicle weight."~~

(1) The Vehicle License Fee Law provides that the annual amount of the license fee for any vehicle is 2% of the market value of the vehicle, as specified.

This bill would enact the Commercial Vehicle Registration Act of 2000 (the act). The bill would remove commercial trailers and semitrailers from the Vehicle License Fee Law, and would, upon the implementation of the permanent trailer plate identification program, as described in (3), provide that moneys equal to the sum of vehicle license fees previously collected from commercial trailers or semitrailers under the unladen weight registration system are incorporated into the declared gross vehicle weight fee schedule. The bill would provide that fees collected under the permanent trailer plate identification program as gross weight fees are declared to be the successor to the former vehicle license fee provisions applicable to commercial vehicles and subject to specified provisions of the California Constitution.

(2) Existing law prohibits a person from driving, moving, or leaving standing upon a highway, or in an offstreet public parking facility, any motor vehicle, trailer, semitrailer, pole or pipe dolly, logging dolly, or auxiliary dolly unless it is registered and the appropriate fees have been paid under the Vehicle Code.

This bill would require any commercial motor vehicle, singly or in combination, that operates with a declared gross vehicle weight, as defined, that exceeds 10,000 pounds to register with the department and to pay a fee based on the vehicle's gross vehicle weight. The bill would also require the commercial motor vehicle's registered owner or the owner's designee to complete a form provided by the department and to be issued a license plate.

(3) Existing law provides for the issuance of identification plates for certain vehicles, including tow dollies.

The bill would delete tow dollies from that identification plates program and other provisions.

The bill would require, upon the implementation of the permanent trailer identification plate program, which shall commence on January 1, 2001, that specified trailers, including tow dollies, be assigned permanent trailer identification plates and be issued an identification certificate



which shall be available for inspection by a peace officer. The bill would require an unspecified service fee to be assessed and would require an applicant for renewal of a permanent trailer identification plate to be charged a \$25 annual fee. The bill would make corresponding changes.

(4) Under existing law, the registered owner or lessee of a fleet of vehicles consisting of motor vehicles or commercial trailers, as specified, or passenger automobiles is authorized to apply to the department for permanent license plates or decals and registration cards.

This bill would delete commercial trailers from that program, would limit the program to motor vehicles, would allow participation in the program to continue in the program for 5 years after implementation of the act even though those participants are out of compliance with the act, and would make related changes.

(5) Existing law allows the Reciprocity Commission to enter into agreements that provide exemption of regulatory fees that are, or may be imposed, by the Public Utilities Commission.

This bill would include regulatory fees that are, or may be imposed, by the department within the above provision.

(6) Existing law requires an application for a transfer of registration of commercial motor vehicles, as specified, to include a specified declaration by the owner to the department.

This bill would require, additionally, that an application for a transfer of a commercial motor vehicle that exceeds 10,000 pounds declared gross vehicle weight, include a notification, made by the new registered owner, or that owner's designee, of the declared gross vehicle weight of the commercial motor vehicle, singly or in combination.

(7) Existing law requires the department, upon the application for transfer of ownership of a fleet of vehicles apportionately registered to permit registration in the new owners name without reassessing the registration, weight, and vehicle license fees, if the application of the new ownership is for the same fleet interstate operation as the previous owner.

This bill would require the new owner, or the owner's designee, to certify the declared gross vehicle weight of the vehicle or vehicles on a single form for all commercial motor vehicles registered in the fleet owner's name and would impose related duties on the department.

(8) Existing law authorizes local governments to impose additional registration or renewal registration fees on vehicles, as specified.

This bill would exempt commercial trailers and semitrailers from these provisions and would impose those additional fees on the owners of all commercial motor vehicles, as specified.

(9) Under existing law, the fee for a foreign trip permit issued for a commercial trailer meeting the registration requirements of a foreign jurisdiction is \$5.

This bill would delete that fee.

(10) Existing law requires, in addition to any other registration fee, the payment of fees for the registration of any commercial vehicle based on its unladen weight.

This bill would set forth an additional schedule. The existing schedule, as revised, would apply to any commercial vehicle singly, or in combination, that operates with a declared gross vehicle weight of 10,000 pounds or less, including pickup trucks. The new schedule of fees would apply to the registration of commercial motor vehicles, operated either singly or in combination, with a declared gross vehicle weight of 10,001 pounds or more. The bill would revise the definition of "farm trailers" to conform to the weight changes made by the bill.

The bill provides a schedule of fines for persons who violate any declared gross vehicle weight limitations provided for in the bill.

The bill would require that, upon the operation of a commercial motor vehicle at a greater gross vehicle weight than that had been reported to and registered by the department, a new registration application be made to the department.

(11) The bill would require the Department of the California Highway Patrol, after consultation with representatives from the Department of Transportation, the Board of Equalization, the Department of Motor Vehicles,

and the commercial vehicle industry, to provide, on or before an unspecified date, recommendations to the Legislature for actions to be taken to ensure compliance with the provisions of the bill.

(12) The bill would require the Department of Transportation, in consultation with the Department of the California Highway Patrol, the Department of Motor Vehicles, the Board of Equalization, and the commercial vehicle industry, to review and report on or before January 1, 2002, and annually thereafter, to the Legislature its findings and, if applicable, make any recommendation as to the necessary adjustments in the fee schedule, to ensure that revenue neutrality is obtained and maintained for all affected entities and funds.

(13) Because violations of certain of the above fee, weight, and declaration requirements would be a crime under existing law, the bill would impose a state-mandated local program by creating new crimes.

(14) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: ~~no~~ yes.

The people of the State of California do enact as follows:

1 ~~SECTION 1. Section 260 of the Vehicle Code is~~

2 SECTION 1. (a) The Legislature finds and declares
3 that it is necessary to convert California's system of
4 commercial vehicle registration from an unladen weight
5 system to a gross vehicle weight system and to initiate a
6 permanent trailer identification program. Furthermore,
7 it is the intent of the Legislature that this conversion be
8 revenue neutral to all cities and counties and all other
9 unladen weight fee system recipients.

10 (b) For the purposes of this act, "revenue neutrality"
11 requires that all recipients of the fees collected under the

1 system in effect on December 31, 1999, shall receive the
2 same level of funding after the conversion to the system
3 created by this act.

4 (c) This act shall be known, and may be cited as, the
5 Commercial Vehicle Registration Act of 2000.

6 SEC. 2. Section 10752 of the Revenue and Taxation
7 Code is amended to read:

8 10752. The annual amount of the license fee for any
9 vehicle, other than a *commercial trailer or semitrailer or*
10 *a trailer coach* which is required to be moved under
11 permit as authorized in Section 35790 of the Vehicle
12 Code, shall be a sum equal to 2 percent of the market
13 value of the vehicle as determined by the department.

14 SEC. 3. Section 10753 of the Revenue and Taxation
15 Code, as amended by Section 15 of Chapter 724 of the
16 Statutes of 1999, is amended to read:

17 10753. (a) Upon the first sale of a new vehicle, *other*
18 *than a commercial trailer or semitrailer*, to a consumer
19 and upon each sale of a used vehicle, *other than a*
20 *commercial trailer or semitrailer*, to a consumer, the
21 department shall determine the market value of the
22 vehicle on the basis of the cost price to the purchaser as
23 evidenced by a certificate of cost, but not including
24 California sales or use tax or any local sales, transactions,
25 use, or other local tax. "Cost price" includes the value of
26 any modifications made by the seller.

27 (b) Notwithstanding subdivision (a), the department
28 shall not redetermine the market value of used vehicles,
29 or modify the vehicle license fee classification of used
30 vehicles determined pursuant to Section 10753.1 or
31 10753.2, when the seller is the parent, grandparent, child,
32 grandchild, or spouse of the purchaser, and the seller is
33 not engaged in the business of selling vehicles subject to
34 registration under the Vehicle Code, or when a lessor, as
35 defined in Section 372 of the Vehicle Code, transfers title
36 and registration of a vehicle to the lessee at the expiration
37 or termination of a lease.

38 (c) (1) In the event any vehicle, *other than a*
39 *commercial trailer or semitrailer*, is modified or additions
40 are made to the chassis or body at a cost of two hundred

1 dollars (\$200) or more, but not including any change of
2 engine of the same type or any cost of repairs to a vehicle,
3 the owner of the vehicle shall report any modification or
4 addition to the department and the department shall
5 classify or reclassify the vehicle in its proper class as
6 provided in Section 10753.1 or 10753.2, taking into
7 consideration the increase in the market value of the
8 vehicle due to those modifications or additions, and any
9 reclassification resulting in increase in market value shall
10 be based on the cost to the consumer of those
11 modifications or additions. In the event any vehicle is
12 modified or altered resulting in a decrease in the market
13 value thereof of two hundred dollars (\$200) or more as
14 reported to and determined by the department, the
15 department shall classify or reclassify the vehicle in its
16 proper class as provided in Section 10753.1 or 10753.2.

17 (2) Paragraph (1) does not apply to any of the
18 following:

19 (A) When the cost of any modification or addition to
20 the chassis or body of a vehicle, *other than a commercial*
21 *trailer or semitrailer*, is less than two hundred dollars
22 (\$200).

23 (B) When the cost is for modifications or additions
24 necessary to incorporate a system approved by the State
25 Air Resources Board as meeting the emission standards
26 set forth in subdivisions (a) and (b) of former Section
27 39102 and former Section 39102.5 of the Health and Safety
28 Code as they read on December 31, 1975.

29 (C) When the cost is for modifications that are
30 necessary to enable a disabled person to use or operate
31 the vehicle.

32 (d) This section also applies to a system as specified in
33 subdivision (c) that is approved by the State Air
34 Resources Board as meeting the emission standards
35 specified in subdivisions (a) and (b) of former Section
36 39102 and former Section 39102.5 of the Health and Safety
37 Code as they read on December 31, 1975, for vehicles
38 6,001 pounds or less, manufacturer's gross vehicle weight,
39 controlled to meet exhaust emission standards when sold
40 new, when that system is used in any vehicle over 6,001

1 pounds or any vehicle 6,001 pounds or less not controlled
2 to meet exhaust emission standards.

3 (e) The temporary attachment of any camper, as
4 defined in Section 243 of the Vehicle Code, to a vehicle
5 is not a modification or addition for the purposes of
6 subdivision (c).

7 (f) The attachment to a vehicle of radiotelephone
8 equipment furnished by a telephone corporation, as
9 defined in Section 234 of the Public Utilities Code, is not
10 a modification or addition for the purpose of subdivision
11 (c), when that equipment is not owned by the owner of
12 the vehicle.

13 ~~(g) This section shall become operative on January 1,~~
14 ~~2001.~~

15 *SEC. 4. Section 10753.1 of the Revenue and Taxation*
16 *Code is amended to read:*

17 10753.1. (a) After determining the cost price to the
18 purchaser, as provided in this article, the department
19 shall classify or reclassify every vehicle in its proper class
20 according to the classification plan set forth in this section.

21 (b) For the purpose of this part, a classification plan is
22 established consisting of the following classes: a class from
23 zero dollars (\$0) to and including forty-nine dollars and
24 ninety-nine cents (\$49.99); a class from fifty dollars (\$50)
25 to and including one hundred ninety-nine dollars and
26 ninety-nine cents (\$199.99); and, thereafter, a series of
27 classes successively set up in brackets having a spread of
28 two hundred dollars (\$200), consisting of that number of
29 classes as will permit classification of all vehicles.

30 (c) The market value of a vehicle, *other than a*
31 *commercial trailer or semitrailer*, for each registration
32 year, starting with the year the vehicle was first sold to a
33 consumer as a new vehicle, or the year the vehicle was
34 first purchased or assembled by the person applying for
35 original registration in this state, or the year the vehicle
36 was sold to the current registered owner as a used vehicle,
37 shall be as follows: for the first year, 85 percent of a sum
38 equal to the middle point between the extremes of its
39 class as established in subdivision (b); for the second year,
40 85 percent of that sum; for the third year, 70 percent of

1 that sum; for the fourth year, 55 percent of that sum; for
2 the fifth year, 40 percent of that sum; for the sixth year,
3 30 percent of that sum; for the seventh year, 25 percent
4 of that sum; for the eighth year, 15 percent of that sum;
5 for the ninth year, 10 percent of that sum; and for the 10th
6 year and each succeeding year, 5 percent of that sum;
7 provided, however, that the minimum tax shall be the
8 sum of one dollar (\$1). Notwithstanding this subdivision,
9 the market value of a trailer coach first sold on and after
10 January 1, 1966, which is required to be moved under
11 permit as authorized in Section 35790 of the Vehicle
12 Code, shall be determined by the schedule in Section
13 10753.3.

14 (d) This section shall become operative on the first day
15 of the month following the month in which the
16 Department of Motor Vehicles is notified by the
17 Department of Finance of a final judicial determination
18 by the California Supreme Court or any California court
19 of appeal of either of the following:

20 (1) The allocation of funds from the Vehicle License
21 Fee Account or the Vehicle License Fee Growth Account
22 of the Local Revenue Fund established during the
23 1991–92 Regular Session is in violation of Section 15 of
24 Article XI of the California Constitution.

25 (2) The state is obligated to reimburse counties for
26 costs of providing medical services to medically indigent
27 adults pursuant to Chapters 328 and 1594 of the Statutes
28 of 1982.

29 *SEC. 5. Section 10753.2 of the Revenue and Taxation*
30 *Code is amended to read:*

31 10753.2. (a) After determining the cost price to the
32 purchaser, as provided in this article, the department
33 shall classify or reclassify every vehicle, *other than a*
34 *commercial trailer or semitrailer*, in its proper class
35 according to the classification plan set forth in this section.

36 (b) For the purpose of this part, a classification plan is
37 established consisting of the following classes: a class from
38 no dollars (\$0) to and including forty-nine dollars and
39 ninety-nine cents (\$49.99); a class from fifty dollars (\$50)
40 to and including one hundred ninety-nine dollars and

1 ninety-nine cents (\$199.99); and thereafter a series of
2 classes successively set up in brackets having a spread of
3 two hundred dollars (\$200), consisting of such number of
4 classes as will permit classification of all vehicles.

5 (c) The market value of a vehicle, *other than a*
6 *commercial trailer or semitrailer*, for each registration
7 year, starting with the year the vehicle was first sold to a
8 consumer as a new vehicle, or the year the vehicle was
9 first purchased or assembled by the person applying for
10 original registration in this state, or the year the vehicle
11 was sold to the current registered owner as a used vehicle,
12 shall be as follows: for the first year, 100 percent of a sum
13 equal to the middle point between the extremes of its
14 class as established in subdivision (b) ; for the second year,
15 90 percent of that sum; for the third year, 80 percent of
16 that sum; for the fourth year, 70 percent of that sum; for
17 the fifth year, 60 percent of that sum; for the sixth year,
18 50 percent of that sum; for the seventh year, 40 percent
19 of that sum; for the eighth year, 30 percent of that sum;
20 for the ninth year, 25 percent of that sum; and for the 10th
21 year, 20 percent of that sum; and for the 11th year and
22 each succeeding year, 15 percent of that sum; provided,
23 however, that the minimum tax shall be the sum of one
24 dollar (\$1). Notwithstanding this subdivision, the market
25 value of a trailer coach first sold on and after January 1,
26 1966, which is required to be moved under permit as
27 authorized in Section 35790 of the Vehicle Code, shall be
28 determined by the schedule in Section 10753.3.

29 (d) This section shall cease to be operative on the first
30 day of the month following the month in which the
31 Department of Motor Vehicles is notified by the
32 Department of Finance of a final judicial determination
33 by the California Supreme Court or any California court
34 of appeal of either of the following:

35 (1) The allocation of funds from the Vehicle License
36 Fee Account or the Vehicle License Fee Growth Account
37 of the Local Revenue Fund established during the
38 1991–92 Regular Session is in violation of Section 15 of
39 Article XI of the California Constitution.

(2) The state is obligated to reimburse counties for costs of providing medical services to medically indigent adults pursuant to Chapters 328 and 1594 of the Statutes of 1982.

SEC. 6. Section 10753.9 of the Revenue and Taxation Code is amended to read:

10753.9. (a) After determining the cost price to the purchaser, as provided in this article, the department shall classify or reclassify every vehicle, *other than a commercial trailer or semitrailer*, in its proper class according to the classification plan set forth in this section.

(b) For the purpose of this part, a classification plan is established consisting of the following classes: a class from no dollars (\$0) to and including forty-nine dollars and ninety-nine cents (\$49.99); a class from fifty dollars (\$50) to and including one hundred ninety-nine dollars and ninety-nine cents (\$199.99); and thereafter a series of classes successively set up in brackets having a spread of two hundred dollars (\$200), consisting of that number of classes as will permit classification of all vehicles.

(c) The market value of a vehicle, *other than a commercial trailer or semitrailer*, for each registration year, starting with the year the vehicle was first sold to a consumer as a new vehicle, or the year the vehicle was first purchased or assembled by the person applying for original registration in this state, or the year ownership of a used vehicle was sold or transferred to the current registered owner, shall be as follows: for the first year, 85 percent of a sum equal to the middle point between the extremes of its class as established in subdivision (b); for the second year, 85 percent of that sum; for the third year, 70 percent of that sum; for the fourth year, 55 percent of that sum; for the fifth year, 40 percent of that sum; for the sixth year, 30 percent of that sum; for the seventh year, 25 percent of that sum; for the eighth year, 15 percent of that sum; for the ninth year, 10 percent of that sum; for the 10th year and each succeeding year, 5 percent of that sum; provided, however, that the minimum tax shall be the sum of one dollar (\$1). Notwithstanding this subdivision, the market value of a trailer coach first sold

1 on and after January 1, 1966, which is required to be
2 moved under permit as authorized in Section 35790 of the
3 Vehicle Code, shall be determined by the schedule in
4 Section 10753.3.

5 (d) This section shall become operative and shall apply
6 to both of the following:

7 (1) Initial or original registration of any vehicle never
8 before registered in this state for which fees become due
9 on July 15, 1991, and on or before July 31, 1991.

10 (2) Renewal of registration of any vehicle whose
11 registration expires on or before July 31, 1991.

12 *SEC. 7. Section 10851.5 is added to the Revenue and*
13 *Taxation Code, to read:*

14 *10851.5. (a) With the implementation of the*
15 *permanent trailer plate identification program, moneys,*
16 *equal to the sum of the vehicle license fees that were*
17 *collected from commercial trailers or semitrailers under*
18 *the unladen weight registration system, prior to January*
19 *1, 2000, shall be incorporated into the declared gross*
20 *vehicle weight fee schedule as set forth in Section 9400.1*
21 *of the Vehicle Code.*

22 *(b) Those moneys described in subdivision (a) shall be*
23 *accounted for and distributed in the same manner as the*
24 *moneys collected for commercial trailer and semitrailer*
25 *vehicle license fees. These fees, which will now be*
26 *collected as part of the gross vehicle weight fees as*
27 *established in Section 9400.1 of the Vehicle Code, are*
28 *declared to be the successor to the former vehicle license*
29 *fee provisions applicable to commercial vehicles and*
30 *subject to Section 15 of Article XI of the California*
31 *Constitution.*

32 *SEC. 8. Section 260 of the Vehicle Code is amended*
33 *to read:*

34 *260. (a) A “commercial vehicle” is a vehicle,*
35 *including, but not limited to, commercial trailers and*
36 *semitrailers, of a type required to be registered under this*
37 *code used or maintained for the transportation of persons*
38 *for hire, compensation, or profit or designed, used, or*
39 *maintained primarily for the transportation of property.*

(b) Passenger vehicles which are not used for the transportation of persons for hire, compensation, or profit and housecars are not commercial vehicles. This subdivision shall not apply to Chapter 4 (commencing with Section 6700) of Division 3.

(c) Any vanpool vehicle is not a commercial vehicle.

(d) The definition of a commercial vehicle in this section does not apply to Chapter 7 (commencing with Section 15200) of Division 6.

SEC. 9. Section 288 is added to the Vehicle Code, to read:

288. "Declared combined gross" equals the total unladen weight of the combination of vehicles plus the heaviest load that may be transported by that combination of vehicles.

SEC. 10. Section 289 is added to the Vehicle Code, to read:

289. "Declared gross vehicle weight" means weight that equals the total unladen weight of the vehicle plus the heaviest load that may be transported on the vehicle.

SEC. 11. Section 390 of the Vehicle Code is amended and renumbered to read:

~~390. "Manufacturer's gross~~

~~350. (a) "Gross vehicle weight rating" (GVWR) means the weight in pounds of the chassis of a truck or truck tractor with lubricants, radiator full of water, full fuel tank or tanks plus the weights of the cab or driver's compartment, body, special chassis and body equipment and pay load as authorized by the chassis manufacturer specified by the manufacturer as the loaded weight of a single vehicle.~~

~~In the event a vehicle is equipped with an identification plate or marker bearing the manufacturer's name and manufacturer's gross vehicle weight rating, the rating stated thereon shall be prima facie evidence of the manufacturer's gross vehicle weight rating.~~

(b) Gross combination weight rating (GCWR) means the weight specified by the manufacturer as the loaded weight of a combination or articulated vehicle. In the absence of a weight specified by the manufacturer,

1 GCWR shall be determined by adding the GVWR of the
2 power unit and the total unladen weight of the towed
3 units and any load thereon.

4 SEC. 12. Section 468 is added to the Vehicle Code, to
5 read:

6 468. The “permanent trailer identification plate
7 program,” is a program that the director shall commence
8 on January 1, 2001, and may designate the method,
9 consistent with this code, to be used by trailers, as defined
10 in Section 5014.1, to receive an assigned permanent
11 trailer identification plate for all trailers, except for trailer
12 coaches and park trailers as described in subdivision (b)
13 of Section 18010 of the Health and Safety Code, for
14 identification purposes. An auxiliary dolly may be
15 assigned a permanent trailer identification plate. The
16 plate shall be in a size and design as determined by the
17 department. The permanent trailer identification plate
18 shall not expire.

19 SEC. 13. Section 550 of the Vehicle Code is amended
20 to read:

21 550. A “semitrailer” is a vehicle, which may include,
22 but is not limited to, a commercial vehicle, designed for
23 carrying persons or property, used in conjunction with a
24 motor vehicle, and so constructed that some part of its
25 weight and that of its load rests upon, or is carried by,
26 another vehicle.

27 SEC. 14. Section 630 of the Vehicle Code is amended
28 to read:

29 630. A “trailer” is a vehicle, which may include, but
30 is not limited to, a commercial vehicle, designed for
31 carrying persons or property on its own structure and for
32 being drawn by a motor vehicle and so constructed that
33 no part of its weight rests upon any other vehicle. As used
34 in Division 15 (commencing with Section 35000),
35 “trailer” includes a semitrailer when used in conjunction
36 with an auxiliary dolly, if the auxiliary dolly is of a type
37 constructed to replace the function of the drawbar and
38 the front axle or axles of a trailer.

39 SEC. 15. Section 4000 of the Vehicle Code is amended
40 to read:

1 4000. (a) (1) No person shall drive, move, or leave
2 standing upon a highway, or in an offstreet public parking
3 facility, any motor vehicle, trailer, semitrailer, pole or
4 pipe dolly, *or* logging dolly, ~~or auxiliary dolly~~ unless it is
5 registered and the appropriate fees have been paid under
6 this code, except that an off-highway motor vehicle which
7 displays an identification plate or device issued by the
8 department pursuant to Section 38010 may be driven,
9 moved, or left standing in an offstreet public parking
10 facility without being registered or paying registration
11 fees.

12 (2) For purposes of this subdivision, “offstreet public
13 parking facility” means either of the following:

14 (A) Any publicly owned parking facility.

15 (B) Any privately owned parking facility for which no
16 fee for the privilege to park is charged and which is held
17 open for the common public use of retail customers.

18 (3) This subdivision does not apply to any motor
19 vehicle stored in a privately owned offstreet parking
20 facility by, or with the express permission of, the owner
21 of the privately owned offstreet parking facility.

22 (b) No person shall drive, move, or leave standing
23 upon a highway any motor vehicle, as defined in Chapter
24 2 (commencing with Section 39010) of Part 1 of Division
25 26 of the Health and Safety Code, which has been
26 registered in violation of Part 5 (commencing with
27 Section 43000) of that Division 26.

28 (c) Subdivisions (a) and (b) do not apply to
29 off-highway motor vehicles operated pursuant to Sections
30 38025 and 38026.5.

31 (d) This section does not apply, following payment of
32 fees due for registration, during the time that registration
33 and transfer is being withheld by the department
34 pending the investigation of any use tax due under the
35 Revenue and Taxation Code.

36 (e) Subdivision (a) does not apply to a vehicle that is
37 towed by a tow truck on the order of a sheriff, marshal,
38 or other official acting pursuant to a court order or on the
39 order of a peace officer acting pursuant to this code.

1 (f) Subdivision (a) applies to a vehicle that is towed
2 from a highway or off-street parking facility under the
3 direction of a highway service organization when that
4 organization is providing emergency roadside assistance
5 to that vehicle. However, the operator of a tow truck
6 providing that assistance to that vehicle is not responsible
7 for the violation of subdivision (a) with respect to that
8 vehicle. The owner of an unregistered vehicle that is
9 disabled and located on private property, shall obtain a
10 permit from the department pursuant to Section 4003
11 prior to having the vehicle towed on the highway.

12 (g) For purposes of this section, possession of a
13 California driver's license by the registered owner of a
14 vehicle shall give rise to a rebuttable presumption that
15 the owner is a resident of California.

16 *SEC. 16. Section 4000.6 is added to the Vehicle Code,*
17 *to read:*

18 *4000.6. Any commercial motor vehicle, singly or in*
19 *combination, that operates with a declared gross vehicle*
20 *weight that exceeds 10,000 pounds shall be required to*
21 *register pursuant to Section 9400.1.*

22 *(a) A commercial motor vehicle operated in*
23 *combination with a semitrailer, trailer, or any*
24 *combination thereof, shall declare the gross vehicle*
25 *weight of all units of the combination when applying for*
26 *registration with the department.*

27 *(b) This section does not apply to pickups nor to any*
28 *commercial motor vehicle or combination, that does not*
29 *exceed 10,000 pounds gross vehicle weight.*

30 *(c) Any peace officer, as defined in Chapter 4.5*
31 *(commencing with Section 830) of Title 3 of Part 2 of the*
32 *Penal Code, having reason to believe that a motor*
33 *vehicle, singly or in combination, is being operated in*
34 *excess of its registered declared gross vehicle weight, may*
35 *require the driver to stop and submit to an inspection or*
36 *weighing of the vehicle or vehicles and an inspection of*
37 *registration documents.*

38 *SEC. 17. Section 4004 of the Vehicle Code is amended*
39 *to read:*

1 4004. (a) (1) Commercial *motor* vehicles meeting
2 the registration requirements of a foreign jurisdiction,
3 and subject to registration but not entitled to exemption
4 from registration or licensing under any of the provisions
5 of this code or any agreements, arrangements, or
6 declarations made under Article 3 (commencing with
7 Section 8000) of Chapter 4, may, as an alternate to such
8 registration, secure a temporary registration to operate in
9 this state for a period of not to exceed 90 days, or a trip
10 permit to operate in this state for a period of four
11 consecutive days.

12 ~~Each~~

13 (2) *Each* trip permit shall authorize the operation of
14 a single *commercial motor* vehicle for a period of not
15 more than four consecutive days, commencing with the
16 day of first use and three consecutive days thereafter.
17 Every permit shall identify, as the department may
18 require, the *commercial motor* vehicle for which it is
19 issued. Each trip permit shall be completed prior to
20 operation of the *commercial motor* vehicle on any
21 highway in this state and shall be carried ~~on~~ in the
22 *commercial motor* vehicle to which it applies ~~in an~~
23 ~~appropriate receptacle inaccessible from the inside of the~~
24 ~~cab~~ and shall be readily available for inspection by a peace
25 officer. Each permit shall be valid at the time of
26 inspection by a peace officer only if it has been completed
27 as required by the department and has been placed in the
28 appropriate receptacle as required by this section. It is
29 unlawful for any person to fail to comply with the
30 provisions of this section.

31 (b) The privilege of securing and using a trip permit
32 or a temporary registration ~~for~~ not to exceed 90 days shall
33 not extend to *the following*:

34 (1) Any vehicle which is based within this state and
35 which is operated by a person having an established place
36 of business within this state. For purposes of this
37 paragraph, a *commercial motor* vehicle shall be
38 considered to be based in this state if it is primarily
39 operated or dispatched from or principally garaged or

1 serviced or maintained at a site with an address within
2 this state.

3 (2) Vehicles registered in any jurisdiction with which
4 the State of California does not have vehicle licensing
5 reciprocity, unless the Reciprocity Commission extends
6 such privilege, by rule, after hearing.

7 (c) The temporary registration or trip permit
8 authorized pursuant to this section shall include the diesel
9 fuel permit number issued by the State Board of
10 Equalization. Any temporary registration or trip permit
11 for a diesel power unit which does not include this
12 information shall be invalid and shall subject the operator
13 to citation for violation of subdivision (a) of Section 4000.
14 All fees for registration of *commercial motor* vehicles
15 shall be due upon the issuance of ~~such~~ a citation, unless
16 the person in whose name the permit was issued can
17 produce proof of issuance of a California fuel tax permit
18 prior to the date of the violation.

19 *SEC. 18. Section 4150.1 of the Vehicle Code is*
20 *amended to read:*

21 4150.1. (a) (1) In addition to the requirements of
22 Section 4150, application for the original registration of a
23 commercial motor vehicle specified in Section 34500 shall
24 include a declaration, made by the owner to the
25 department upon the appropriate form furnished by it,
26 that the owner is aware of the applicable motor carrier
27 safety regulations adopted by the Department of the
28 California Highway Patrol pursuant to Section 34501.

29 *A*

30 (2) A fleet owner may make this declaration on a
31 single form for all commercial motor vehicles registered
32 in the fleet ~~owners's~~ owner's name.

33 (b) (1) *On a form provided by the department, the*
34 *registered owner of record or the owner's designee shall*
35 *certify and report the declared gross vehicle weight of*
36 *any commercial motor vehicle, singly or in combination,*
37 *in excess of 10,000 pounds declared gross vehicle weight.*

38 (2) *A single form may be used or referenced for*
39 *multiple vehicles of like declared gross vehicle weight.*

1 *SEC. 19. Section 4458 of the Vehicle Code is amended*
2 *to read:*

3 4458. If both license plates ~~have been~~ or a permanent
4 trailer identification plate, or both, are lost by or stolen
5 from the registered owner, ~~he~~ the registered owner shall
6 immediately notify ~~the police department or sheriff's~~
7 ~~office of the city or county in which he resides and he a~~
8 law enforcement agency, and shall immediately apply to
9 the department for new plates in lieu of the plates stolen
10 or lost ~~and the~~. The department shall in every proper
11 case, except in the case of plates which are exempt from
12 fees, ~~issue a pair of~~ cause to be issued applicable license
13 plates of a different number and assign the registration
14 number to the vehicle for which the plates are issued.

15 *SEC. 20. Section 5000 of the Vehicle Code is amended*
16 *to read:*

17 5000. (a) License plates issued for trailers,
18 semitrailers, motor-driven cycles, and pole and pipe
19 dollies, and such vehicles as are exempt from the payment
20 of registration fees under this code shall display suitable
21 distinguishing marks or symbols, and the registration
22 numbers assigned to each class of vehicles shall run in a
23 separate numerical series, except that registration
24 numbers assigned to vehicles exempt from the payment
25 of registration fees may run in several separate numerical
26 series.

27 (b) Vehicles subject to ~~the provisions of Section~~
28 ~~Sections 9400 and 9400.1~~ shall be issued license plates with
29 suitable distinguishing marks or symbols distinguishing
30 them from other license plates issued.

31 (c) *Vehicles subject to Section 5014.1 shall be issued*
32 *permanent identification plates with suitable*
33 *distinguishing marks or symbols that distinguish them*
34 *from other license plates.*

35 *SEC. 21. Section 5014 of the Vehicle Code is amended*
36 *to read:*

37 5014. An application by a person other than a
38 manufacturer or dealer for an identification plate for
39 special construction equipment, cemetery equipment,
40 special mobile equipment, ~~tow dolly~~, logging vehicle,

1 cotton trailer, or farm trailer as specified in Section 36109,
2 a vehicle that is farmer-owned and used as provided in
3 subdivision (b) of Section 36101, a motor vehicle which
4 is farmer-owned and operated and used as provided in
5 subdivision (a) of Section 36101, an automatic bale wagon
6 operated as specified in subdivision (a) or (b) of Section
7 36102, or a farm trailer that is owned, rented, or leased by
8 a farmer and is operated and used as provided in
9 subdivision (b) of Section 36010, shall include the
10 following:

11 (a) The true, full name and the driver's license or
12 identification card number, if any, of the owner.

13 (b) A statement by the owner of the use or uses which
14 he or she intends to make of the equipment.

15 (c) A description of the vehicle, including any
16 distinctive marks or features.

17 (d) A photograph of the vehicle. Only one photograph
18 of one piece of equipment shall be required to be
19 attached to the application when identification plates are
20 to be obtained for more than one piece of equipment,
21 each of which is of the same identical type.

22 (e) Other information as may reasonably be required
23 by the department to determine whether the applicant
24 is entitled to be issued an identification plate.

25 (f) A service fee of seven dollars (\$7) for each vehicle.
26 The plates shall be renewed between January 1 and
27 February 4 every five calendar years, commencing in
28 1986. Any part of the year of the first application
29 constitutes a calendar year. An application for renewal of
30 an identification plate shall contain a space for the
31 applicant's driver's license or identification card number,
32 and the applicant shall furnish that number, if any, in the
33 space provided.

34 *SEC. 22. Section 5014.1 is added to the Vehicle Code,*
35 *to read:*

36 *5014.1. (a) Upon the implementation of the*
37 *permanent trailer identification plate program, the*
38 *following applies:*

1 *(1) The following trailers shall be assigned a trailer*
2 *identification plate by the department in accordance*
3 *with this section:*

4 *(A) Logging dolly.*

5 *(B) Pole or pipe dolly.*

6 *(C) Semitrailer.*

7 *(D) Trailer.*

8 *(E) Trailer bus.*

9 *(2) An auxiliary dolly may be assigned a permanent*
10 *trailer identification plate.*

11 *(3) Trailer coaches and park trailers, as described in*
12 *subdivision (b) of Section 18010 of the Health and Safety*
13 *Code, are exempted from the permanent trailer*
14 *identification plate program.*

15 *(b) The permanent trailer identification plate shall be*
16 *in a size and design as determined by the department.*

17 *(c) The permanent trailer identification plate shall*
18 *not expire.*

19 *(d) Upon sale or transfer of the commercial trailer or*
20 *semitrailer, the assigned permanent trailer identification*
21 *plate remains with the commercial trailer or semitrailer*
22 *for the life of the vehicle. Upon transfer of ownership, a*
23 *new ownership certificate and a new identification*
24 *certificate shall be issued.*

25 *(e) A service fee, sufficient to pay at least the entire*
26 *actual costs to the department, not to exceed _____*
27 *dollars (\$_____) shall be assessed by the department*
28 *upon assigning a permanent trailer identification plate.*

29 *(f) Fees for duplicate substitute permanent trailer*
30 *identification plates or certificates shall be charged.*

31 *(g) An outstanding commercial trailer and semitrailer*
32 *license plates and registration indicia that are under this*
33 *code on December 31, 2000, shall be considered valid.*

34 *(h) All original trailers that register in this state will be*
35 *issued a permanent trailer identification plate and*
36 *identification certificate.*

37 *SEC. 23. Section 5015 of the Vehicle Code is amended*
38 *to read:*

39 5015. (a) The application for an identification plate
40 for special construction equipment, special mobile

1 equipment, cemetery equipment, ~~any tow dolly~~, and any
2 logging vehicle shall be made before ~~any such~~ *that* piece
3 of equipment is moved over a highway.

4 (b) The application for an identification plate for a
5 cotton trailer or a farm trailer as specified in Section
6 36109, a vehicle ~~which~~ *that* is farmer-owned and used as
7 provided in subdivision (b) of Section 36101, a motor
8 vehicle ~~which~~ *that* is farmer-owned and operated and
9 used as provided in subdivision (a) of Section 36101, or an
10 automatic bale wagon operated as specified in subdivision
11 (a) or (b) of Section 36102 shall be made before any such
12 piece of equipment is moved over a highway.

13 (c) *The application for a permanent trailer*
14 *identification plate, as described in Section 5014.1, shall*
15 *be made prior to the equipment or vehicle described in*
16 *subdivision (a) being moved, towed, or left standing on*
17 *any highway or in any offstreet public parking facility.*

18 SEC. 24. *Section 5016 of the Vehicle Code is amended*
19 *to read:*

20 5016. Upon proper application and payment of the
21 fees specified in Section 5014.1 or 9261, the department
22 shall issue an identification plate and an identification
23 card for the piece of equipment, vehicle, *trailer,*
24 *semitrailer,* or implement of husbandry for which
25 application is made.

26 SEC. 25. *Section 5017 of the Vehicle Code is amended*
27 *to read:*

28 5017. (a) Each identification plate issued under
29 Section 5016 shall bear a distinctive number to identify
30 the equipment, logging vehicle, or implement of
31 husbandry for which it is issued. The owner, upon being
32 issued a plate, shall attach it to the equipment, logging
33 vehicle, or implement of husbandry for which it is issued
34 and shall carry the identification card issued by the
35 department as provided by Section 4454. It shall be
36 unlawful for any person to attach or use the plate upon
37 any other equipment, *logging* vehicle, or implement of
38 husbandry. If the equipment, logging vehicle, or
39 implement of husbandry is destroyed or the ownership
40 thereof transferred to another person, the person to

1 whom the plate was issued shall within 10 days notify the
2 department, on a form approved by the department, that
3 the equipment, logging vehicle, or implement of
4 husbandry has been destroyed or the ownership thereof
5 transferred to another person.

6 *(b) Upon the implementation of the permanent*
7 *trailer identification plate program, all trailers requiring*
8 *license plates, except those exempted in paragraph (3) of*
9 *subdivision (a) of Section 5014.1 shall be assigned a single*
10 *permanent plate for identification purposes. Upon*
11 *issuance of the plate, it shall be attached to the vehicle*
12 *pursuant to Sections 5200 and 5201.*

13 *(c) An identification certificate shall be issued for each*
14 *trailer or semitrailer assigned an identification plate. The*
15 *identification certificate shall contain upon its face, the*
16 *date issued, the name and residence or business address*
17 *of the owner and of the legal owner, if any, the*
18 *registration number assigned to the trailer or semitrailer,*
19 *and a description of the trailer or semitrailer as complete*
20 *as that required in the application for registration of the*
21 *trailer or semitrailer. When an identification certificate*
22 *has been issued to a trailer or semitrailer, the owner or*
23 *operator shall make that certificate available for*
24 *inspection by a peace officer.*

25 *SEC. 26. Section 5101 of the Vehicle Code is amended*
26 *to read:*

27 *5101. Any person who is the registered owner or*
28 *lessee of a passenger vehicle, commercial vehicle, trailer,*
29 *or commercial trailer or semitrailer registered with the*
30 *department, or who makes application for an original*
31 *registration or renewal registration of ~~any—such~~ that*
32 *vehicle, may, upon payment of the fee prescribed in*
33 *Section 5106, apply to the department for environmental*
34 *license plates, in the manner prescribed in Section 5105,*
35 *which plates shall be affixed to the passenger vehicle,*
36 *commercial vehicle, trailer, or commercial trailer or*
37 *semitrailer for which registration is sought in lieu of the*
38 *regular license plates.*

39 *SEC. 27. Section 5103 of the Vehicle Code is amended*
40 *to read:*

1 5103. "Environmental license plates," as used in this
2 article, means license plates *or permanent trailer*
3 *identification plates* that have displayed upon them the
4 registration number assigned to the passenger vehicle,
5 commercial vehicle, ~~or~~ trailer, *or commercial trailer or*
6 *semitrailer* for which such registration number was issued
7 in a combination of letters or numbers, or both, requested
8 by the owner or lessee of the vehicle.

9 SEC. 28. Section 5106 of the Vehicle Code is amended
10 to read:

11 5106. (a) Except as provided in Section 5101.7, in
12 addition to the regular registration fee *or a permanent*
13 *trailer identification fee*, the applicant shall be charged a
14 fee of forty dollars (\$40).

15 (b) In addition to the regular renewal fee *or a*
16 *permanent trailer identification fee* for the vehicle to
17 which the plates are assigned, the applicant for a renewal
18 of the plates shall be charged an additional fee of
19 twenty-five dollars (\$25). *An applicant with a permanent*
20 *trailer identification plate shall be charged an annual fee*
21 *of twenty-five dollars (\$25).* However, applicants for
22 renewal of prisoner-of-war special license plates issued
23 under Section 5101.5 shall not be charged the additional
24 renewal fee under this subdivision.

25 (c) When payment of renewal fees is not required as
26 specified in Section 4000, the holder of any environmental
27 license plate may retain the plate upon payment of an
28 annual fee of twenty-five dollars (\$25). The fee shall be
29 due at the expiration of the registration year of the
30 vehicle to which the environmental license plate was last
31 assigned. However, applicants for retention of
32 prisoner-of-war special license plates issued under
33 Section 5101.5 shall not be charged the additional
34 retention fee under this subdivision.

35 (d) Notwithstanding Section 9265, the applicant for a
36 duplicate environmental license plate or a duplicate,
37 replacement commemorative 1984 Olympic
38 reflectorized license plate shall be charged a fee of thirty
39 dollars (\$30).

1 *SEC. 29. Section 5108 of the Vehicle Code is amended*
2 *to read:*

3 5108. Whenever any person who has been issued
4 environmental license plates applies to the department
5 for transfer of the plates to another passenger vehicle,
6 commercial vehicle, ~~or~~ trailer, *commercial trailer or*
7 *semitrailer* a transfer fee of twenty dollars (\$20) shall be
8 charged in addition to all other appropriate fees.

9 *SEC. 30. Section 5204 of the Vehicle Code is amended*
10 *to read:*

11 5204. (a) Except as provided by subdivisions (b) and
12 (c), a tab shall indicate the year of expiration and a tab
13 shall indicate the month of expiration. Current month
14 and year tabs shall be attached to the rear license plate
15 assigned to the vehicle for the last preceding registration
16 year in which license plates were issued, and, when so
17 attached, the license plate with the tabs shall, for the
18 purposes of this code, be deemed to be the license plate,
19 except that truck tractors, and commercial motor
20 vehicles having ~~an unladen weight of 10,000~~ *a declared*
21 *gross vehicle weight of 10,001* pounds or more, shall
22 display the current month and year tabs upon the front
23 license plate assigned to the truck tractor or commercial
24 motor vehicle. Vehicles that fail to display current month
25 and year tabs or display expired tabs are in violation of this
26 section.

27 (b) The requirement of subdivision (a) that the tabs
28 indicate the year and the month of expiration does not
29 apply to fleet vehicles subject to Article 9.5 (commencing
30 with Section 5300).

31 (c) Subdivision (a) does not apply when proper
32 application for registration has been made pursuant to
33 Section 4602 and the new indicia of current registration
34 have not been received from the department.

35 (d) This section is enforceable against any motor
36 vehicle that is driven, moved, or left standing upon a
37 highway, or in an offstreet public parking facility, in the
38 same manner as provided in subdivision (a) of Section
39 4000.

1 *SEC. 31. Section 5301 of the Vehicle Code is amended*
2 *to read:*

3 5301. (a) Notwithstanding any other provision of this
4 code and Part 5 (commencing with Section 10701) of
5 Division 2 of the Revenue and Taxation Code, the
6 registered owner or lessee of a fleet of vehicles consisting
7 of commercial motor vehicles ~~or commercial trailers,~~
8 ~~apportionately registered commercial trailers~~ base plated
9 in the state under Article 4 (commencing with Section
10 8050) of Chapter 4, or passenger automobiles may, upon
11 payment of appropriate fees, apply to the department for
12 permanent license plates or decals and registration cards.

13 (b) Fleets shall consist of at least 100 *motor* vehicles to
14 qualify for this program. However, the department may
15 provide for permanent fleet registration through an
16 association providing a combination of fleets of *motor*
17 vehicles of 500 or more vehicles with no individual fleet
18 of fewer than 50 *motor* vehicles. An association
19 submitting an application of participation in the program
20 shall provide within the overall application a listing
21 identifying the owner of each fleet and the *motor* vehicles
22 within each fleet. Identification of the *motor* vehicles as
23 provided in this article applies to the ownership of the
24 *motor* vehicles and not the association submitting the
25 application.

26 (c) *With the concurrence of both the department and*
27 *the participant, the changes made in this section by the*
28 *enactment of the Commercial Vehicle Registration Act of*
29 *2000 shall not affect those participants who were lawfully*
30 *participating in the permanent fleet registration*
31 *program on December 31, 2000. However, five years*
32 *following the implementation of the permanent trailer*
33 *identification program, all participants in the permanent*
34 *fleet registration program shall meet the requirements of*
35 *this section in order to continue enrollment in the*
36 *program described in this section.*

37 *SEC. 32. Section 5302 of the Vehicle Code is amended*
38 *to read:*

1 5302. (a) ~~Vehicles~~ *Motor vehicles* registered in any
2 state other than California shall not be permitted to
3 participate in this program.

4 (b) Section 4604 does not apply to vehicles registered
5 under this article.

6 (c) The department may conduct an audit of the
7 records of each fleet owner or lessee of the vehicle fleets
8 electing to participate in the program. The department
9 shall be fully reimbursed by the fleet owner or lessee for
10 the costs of conducting the audits.

11 (d) Vehicles registered under this article shall display
12 in a conspicuous place on both the right and the left side
13 of each motor vehicle ~~and on both the right and left side~~
14 ~~or on the front and rear of each trailer~~, the name,
15 trademark, or logo of the company. The display of the
16 name, trademark, or logo shall be in letters in sharp
17 contrast to the background and shall be of a size, shape,
18 and color that is readily legible during daylight hours
19 from a distance of 50 feet.

20 (e) A motor vehicle under 6,000 pounds unladen
21 weight that is owned or leased by a public utility may be
22 registered under this article by displaying the permanent
23 fleet registration number on both the right and left side
24 or on the front and rear of the motor vehicle. The display
25 shall be in sharp contrast to the background and shall be
26 of a size, shape, and color that is readily legible during
27 daylight hours from a distance of 50 feet.

28 *SEC. 33. Section 5305 of the Vehicle Code is amended*
29 *to read:*

30 5305. In addition to any other fees due for *motor*
31 vehicles registered pursuant to this article, the
32 department may charge and collect a service fee of one
33 dollar (\$1) for each fleet *motor* vehicle at the time the
34 initial application is submitted to the department and at
35 the time of registration renewal of each fleet vehicle;
36 ~~except that the department may charge and collect a~~
37 ~~service fee of two dollars (\$2) for each proportionately~~
38 ~~registered commercial trailer upon initial application for,~~
39 ~~and upon renewal of, registration.~~

1 *SEC. 34. Section 5902 of the Vehicle Code is amended*
2 *to read:*

3 5902. (a) Whenever any person has received as
4 transferee a properly endorsed certificate of ownership,
5 that person shall, within 10 days thereafter, forward the
6 certificate with the proper transfer fee to the department
7 and thereby make application for a transfer of
8 registration. The certificate of ownership shall contain a
9 space for the applicant's driver's license or identification
10 card number, and the applicant shall furnish that
11 number, if any, in the space provided.

12 (b) An application for a transfer of registration of a
13 commercial motor vehicle specified in Section 34500 shall
14 include a declaration, made by the owner to the
15 department upon the appropriate form furnished by it,
16 that the owner is aware of the applicable motor carrier
17 safety regulations adopted by the Department of the
18 California Highway Patrol pursuant to Section 34501. A
19 fleet owner may make this declaration on a single form
20 for all commercial motor vehicles registered in the fleet
21 owner's name.

22 (c) *An application for a transfer of a commercial motor*
23 *vehicle that exceeds 10,000 pounds declared gross vehicle*
24 *weight, as specified in Section 34500, shall include the*
25 *notification, made by the new registered owner, or that*
26 *owner's designee, of the declared gross vehicle weight of*
27 *the commercial motor vehicle singly or in combination.*
28 *An owner, or that owner's designee, may make this*
29 *certification on a single form provided by the department*
30 *for all commercial motor vehicles registered in the*
31 *owner's name.*

32 *SEC. 35. Section 8000 of the Vehicle Code is amended*
33 *to read:*

34 8000. The Reciprocity Commission may enter into
35 agreements with foreign jurisdictions that provide for the
36 exemption of fees for commercial vehicles if the foreign
37 jurisdictions provide equivalent exemptions to vehicles
38 registered in this state. The agreements shall be
39 applicable to vehicles ~~which~~ *that* are properly licensed
40 and registered in the foreign jurisdictions. The

1 commission may also enter into agreements that provide
2 for the exemption of regulatory fees which are, or may be
3 imposed, by the Public Utilities Code *or the department*.

4 *SEC. 36. Section 8054 of the Vehicle Code is amended*
5 *to read:*

6 8054. (1) Upon *the* application for transfer of
7 ownership of a fleet of vehicles apportionately registered
8 pursuant to this article, the department shall permit
9 registration in the new owners name without reassessing
10 the registration, ~~weight~~, and vehicle license fees, if the
11 application of the new ownership is for the same fleet
12 interstate operation as the previous owner.

13 (2) *The new owner, or the owner's designee, shall*
14 *certify the declared gross vehicle weight of the vehicle or*
15 *vehicles on a single form for all commercial motor*
16 *vehicles registered in the fleet owner's name. The*
17 *department shall reassess the weight fees if the declared*
18 *gross vehicle weight is increased. The weight fees may be*
19 *assessed at a prorated rate.*

20 *SEC. 37. Section 9250.7 of the Vehicle Code is*
21 *amended to read:*

22 9250.7. (a) (1) A service authority established under
23 Section 22710 may impose a service fee of one dollar (\$1)
24 on *all* vehicles, *except commercial trailers and*
25 *semitrailers described in subdivision (d) of Section*
26 *5014.1*, registered to an owner with an address in the
27 county that established the service authority. The fee
28 shall be paid to the department at the time of registration,
29 or renewal of registration, or when renewal becomes
30 delinquent, except on vehicles that are expressly
31 exempted under this code from the payment of
32 registration fees.

33 (2) *In addition to the one dollar (\$1) service fee, and*
34 *upon the implementation of the permanent trailer*
35 *identification plate program, and as part of the*
36 *Commercial Vehicle Registration Act of 2000, all*
37 *commercial motor vehicles registered to an owner with*
38 *an address in the county that established a service*
39 *authority under this section, shall pay an additional*
40 *service fee of two dollars (\$2).*

1 (b) The department, after deducting its
2 administrative costs, shall transmit, at least quarterly, the
3 net amount collected pursuant to subdivision (a) to the
4 Treasurer for deposit in the Abandoned Vehicle Trust
5 Fund, which is hereby created. All money in the fund is
6 continuously appropriated to the Controller for
7 allocation to a service authority that has an approved
8 abandoned vehicle abatement program pursuant to
9 Section 22710, and for payment of the administrative costs
10 of the Controller. After deduction of its administrative
11 costs, the Controller shall allocate the money in the
12 Abandoned Vehicle Trust Fund to each service authority
13 in proportion to the revenues received from the fee
14 imposed by that authority pursuant to subdivision (a). If
15 any funds received by a service authority pursuant to this
16 section are not expended to abate abandoned vehicles
17 pursuant to an approved abandoned vehicle abatement
18 program within 90 days of the close of the fiscal year in
19 which the funds were received and the amount of those
20 funds exceeds the amount expended by the service
21 authority for the abatement of abandoned vehicles in the
22 previous fiscal year, a fee imposed pursuant to subdivision
23 (a) shall be suspended for one year, commencing the
24 following January 1.

25 (c) The fee imposed by a service authority shall
26 remain in effect only for a period of 10 years from the date
27 that the actual collection of the fee commenced.

28 *SEC. 38. Section 9250.8 of the Vehicle Code is*
29 *amended to read:*

30 9250.8. (a) In addition to any other fees specified in
31 this code and the Revenue and Taxation Code, a fee of
32 one dollar (\$1) shall be paid at the time of registration or
33 renewal of registration of every vehicle, *except*
34 *commercial trailers and semitrailers described in*
35 *subdivision (d) of Section 5014.1*, subject to registration
36 under this code, except those vehicles that are expressly
37 exempted under this code from the payment of
38 registration fees.

39 (b) *In addition to the one dollar (\$1) fee, upon the*
40 *implementation of the permanent trailer identification*

1 *plate program, and as part of the Commercial Vehicle*
2 *Registration Act of 2000, all commercial motor vehicles*
3 *shall pay an additional fee of two dollars (\$2).*

4 *SEC. 39. Section 9250.10 of the Vehicle Code is*
5 *amended to read:*

6 9250.10. (a) (1) In addition to any other fees
7 specified in this code and the Revenue and Taxation
8 Code, any additional fees imposed by a service authority
9 for freeway emergencies pursuant to Section 2555 of the
10 Streets and Highways Code shall be paid to the
11 department at the time of registration or renewal of
12 registration of every vehicle, *except commercial trailers*
13 *and semitrailers described in subdivision (d) of Section*
14 *5014.1*, subject to registration under this code in the
15 subject counties, except those vehicles that are expressly
16 exempted under this code from the payment of
17 registration fees.

18 (2) *In addition to the additional fees imposed for*
19 *freeway emergencies, and upon the implementation of*
20 *the permanent trailer identification plate program, and*
21 *as part of the Commercial Vehicle Registration Act of*
22 *2000, all commercial motor vehicles registered to an*
23 *owner with an address in the county that established a*
24 *service authority under this section, shall pay an*
25 *additional service fee of two dollars (\$2).*

26 (b) After deducting its administrative costs, the
27 department shall distribute the additional fees collected
28 pursuant to subdivision (a) to the authority in the county
29 in which they were collected.

30 *SEC. 40. Section 9250.13 of the Vehicle Code is*
31 *amended to read:*

32 9250.13. (a) (1) In addition to any other fees
33 specified in this code and the Revenue and Taxation
34 Code, a fee of one dollar (\$1) shall be paid at the time of
35 registration or renewal of registration of every vehicle,
36 *except commercial trailers and semitrailers described in*
37 *subdivision (d) of Section 5014.1*, subject to registration
38 under this code, except those vehicles that are expressly
39 exempted under this code from the payment of
40 registration fees.

1 (2) *In addition to the one dollar (\$1) fee, upon the*
2 *implementation of the permanent trailer identification*
3 *plate program, and as part of the Commercial Vehicle*
4 *Registration Act of 2000, all commercial motor vehicles*
5 *shall pay an additional fee of two dollars (\$2).*

6 (b) The money realized pursuant to this section shall
7 be available, upon appropriation by the Legislature, for
8 expenditure to offset the costs of increasing the
9 uniformed field strength of the Department of the
10 California Highway Patrol beyond its 1994 staffing level
11 and those costs associated with maintaining this new level
12 of uniformed field strength and carrying out those duties
13 specified in subdivision (a) of Section 830.2 of the Penal
14 Code.

15 SEC. 41. *Section 9250.14 of the Vehicle Code is*
16 *amended to read:*

17 9250.14. (a) (1) In addition to any other fees
18 specified in this code and the Revenue and Taxation
19 Code, upon the adoption of a resolution by any county
20 board of supervisors, a fee of one dollar (\$1) shall be paid
21 at the time of registration or renewal of registration of
22 every vehicle, *except commercial trailers and*
23 *semitrailers described in subdivision (d) of Section*
24 *5014.1, registered to an address within that county except*
25 *those expressly exempted from payment of registration*
26 *fees. The fees, after deduction of the administrative costs*
27 *incurred by the department in carrying out this section,*
28 *shall be paid quarterly to the Controller.*

29 (2) *In addition to the one dollar (\$1) service fee, and*
30 *upon the implementation of the permanent trailer*
31 *identification plate program, and as part of the*
32 *Commercial Vehicle Registration Act of 2000, all*
33 *commercial motor vehicles registered to an owner with*
34 *an address in the county that established a service*
35 *authority under this section, shall pay an additional*
36 *service fee of two dollars (\$2).*

37 (b) Notwithstanding Section 13340 of the
38 Government Code, the money paid to the Controller is
39 continuously appropriated, without regard to fiscal years,
40 for the administrative costs of the Controller, and for

1 disbursement by the Controller to each county that has
2 adopted a resolution pursuant to subdivision (a), based
3 upon the number of vehicles registered, or whose
4 registration is renewed, to an address within that county.

5 (c) Except as otherwise provided in this subdivision,
6 money allocated to a county pursuant to subdivision (b)
7 shall be expended exclusively to fund programs that
8 enhance the capacity of local police and prosecutors to
9 deter, investigate, and prosecute vehicle theft crimes. In
10 any county with a population of 200,000 or less, the money
11 shall be expended exclusively for those vehicle theft
12 crime programs and for the prosecution of crimes
13 involving driving under the influence of alcohol or drugs
14 in violation of Section 23152 or 23153, or vehicular
15 manslaughter in violation of Section 191.5 or subdivision
16 (c) of Section 192 of the Penal Code, or any combination
17 of those crimes.

18 (d) No money collected pursuant to this section shall
19 be expended to offset a reduction in any other source of
20 funds, nor for any purpose not authorized under this
21 section.

22 (e) Any funds received by a county prior to January 1,
23 2000, pursuant to this section that are not expended to
24 deter, investigate, or prosecute crimes pursuant to
25 subdivision (c) shall be returned to the Controller, for
26 deposit in the Motor Vehicle Account in the State
27 Transportation Fund. Those funds received by a county
28 after January 1, 2000, shall be expended in accordance
29 with this section.

30 (f) Each county that has adopted or adopts a resolution
31 pursuant to subdivision (a) shall submit, on or before the
32 13th day following the end of each quarter, a quarterly
33 expenditure and activity report to the designated
34 statewide Vehicle Theft Investigation and Apprehension
35 Coordinator in the Department of the California
36 Highway Patrol. The coordinator shall compile all county
37 reports and prepare an annual report for dissemination to
38 the Legislature and participating counties.

39 (g) This section shall remain in effect only until
40 January 1, 2005, and as of that date is repealed, unless a

1 later enacted statute, that is enacted on or before January
2 1, 2005, deletes or extends that date.

3 *SEC. 42. Section 9250.19 of the Vehicle Code is*
4 *amended to read:*

5 9250.19. (a) (1) In addition to any other fees
6 specified in this code and the Revenue and Taxation
7 Code, upon the adoption of a resolution pursuant to this
8 subdivision by any county board of supervisors, a fee of
9 one dollar (\$1) shall be paid at the time of registration,
10 renewal, or supplemental application for apportioned
11 registration pursuant to Article 4 (commencing with
12 Section 8050) of Chapter 4 of every vehicle, *except*
13 *commercial trailers and semitrailers described in*
14 *subdivision (d) of Section 5014.1*, registered to an address
15 within that county except those expressly exempted from
16 payment of registration fees. The fees, after deduction of
17 the administrative costs incurred by the department in
18 carrying out this section, shall be paid quarterly to the
19 Controller.

20 (2) *In addition to the one dollar (\$1) service fee, and*
21 *upon the implementation of the permanent trailer*
22 *identification plate program, and as part of the*
23 *Commercial Vehicle Registration Act of 2000, all*
24 *commercial motor vehicles registered to an owner with*
25 *an address in the county that established a service*
26 *authority under this section, shall pay an additional*
27 *service fee of two dollars (\$2).*

28 (3) A resolution adopted pursuant to paragraph (1)
29 shall include findings as to the purpose of, and the need
30 for, imposing the additional registration fee, and shall
31 identify the date after which the fee shall no longer be
32 imposed.

33 (b) Notwithstanding Section 13340 of the
34 Government Code, the money paid to the Controller
35 pursuant to subdivision (a) is continuously appropriated,
36 without regard to fiscal years, for disbursement by the
37 Controller to each county that has adopted a resolution
38 pursuant to subdivision (a), based upon the number of
39 vehicles registered, or whose registration is renewed, to
40 an address within that county, or supplemental

1 application for apportioned registration, and, upon
2 appropriation by the Legislature, for the administrative
3 costs of the Controller incurred under this section.

4 (c) Money allocated to a county pursuant to
5 subdivision (b) shall be expended exclusively to fund
6 programs that enhance the capacity of local law
7 enforcement to provide automated mobile and fixed
8 location fingerprint identification of individuals who may
9 be involved in driving under the influence of alcohol or
10 drugs in violation of Section 23152 or 23153, or vehicular
11 manslaughter in violation of Section 191.5 of the Penal
12 Code or subdivision (c) of Section 192 of the Penal Code,
13 or any combination of those and other vehicle-related
14 crimes, and other crimes committed while operating a
15 motor vehicle.

16 (d) The data from any program funded pursuant to
17 subdivision (c) shall be made available by the local law
18 enforcement agency to any local public agency that is
19 required by law to obtain a criminal history background
20 of persons as a condition of employment with that local
21 public agency. A local law enforcement agency that
22 provides the data may charge a fee to cover its actual costs
23 in providing that data.

24 (e) (1) No money collected pursuant to this section
25 shall be used to offset a reduction in any other source of
26 funds for the purposes authorized under this section.

27 (2) Funds collected pursuant to this section, upon
28 recommendation of local or regional Remote Access
29 Network Boards to the Board of Supervisors, shall be used
30 exclusively for the purchase, by competitive bidding
31 procedures, and the operation of equipment which is
32 compatible with the Department of Justice's Cal-ID
33 master plan, as described in Section 11112.2 of the Penal
34 Code, and the equipment shall interface in a manner that
35 is in compliance with the requirement described in the
36 Criminal Justice Information Services, Electronic
37 Fingerprint Transmission Specification, prepared by the
38 Federal Bureau of Investigation and dated August 24,
39 1995.

(f) The fee imposed under this section shall remain in effect only for a period of five years from the date that the actual collection of the fee commences, unless a later enacted statute deletes or extends that period.

SEC. 43. Section 9250.20 is added to the Vehicle Code, to read:

9250.20. (a) Fees collected by the department under the Commercial Vehicle Act of 2000, shall be distributed to the same funds and accounts, for the same purposes, and in a similar ratio as those fees were previously distributed prior to the enactment of this section.

(b) Subdivision (a) does not apply to Sections 9250.7, 9250.8, 9250.10, 9250.13, 9250.14, and 9250.15.

SEC. 44. Section 9260 of the Vehicle Code is amended to read:

9260. (a) The fee for a temporary registration issued under Section 4004 is one-quarter of the annual fees in Division 3 (commencing with Section 4000) of this code and Part 5 (commencing with Section 10701) of Division 2 of the Revenue and Taxation Code, for the period that the vehicle is to be operated in this state.

(b) The fee for a trip permit issued under Section 4004 is ~~five dollars (\$5) for each trailer and~~ forty-five dollars (\$45) for each commercial motor vehicle.

SEC. 45. Section 9261 of the Vehicle Code is amended to read:

9261. (a) A service fee of seven dollars (\$7) shall be paid for an identification plate issued pursuant to Section 5014. Publicly owned special construction equipment, cemetery equipment, special mobile equipment, ~~tow dollies~~, logging vehicles, and implements of husbandry are exempt from the service charge.

(b) A service fee of seven dollars (\$7) shall be paid for an identification plate issued pursuant to Section 5016.5.

(c) Upon application for the transfer of interest of an owner in a piece of equipment, vehicle, or implement of husbandry identified pursuant to Section 5014, the transferee shall pay a fee of seven dollars (\$7).

(d) A fee of three dollars (\$3) shall be paid upon the renewal of an identification plate issued pursuant to Section 5014 or 5016.5.

SEC. 46. Section 9400 of the Vehicle Code is amended to read:

9400. ~~In~~ Except as provided in Section 9400.1, and in addition to any other registration fee, there shall be paid the fees set forth in this section for the registration of any commercial ~~vehicles~~ vehicle singly, or in combination, that operates with a declared gross weight of 10,000 pounds or less. Weight fees for pickup trucks are calculated under this section. Whenever a camper is temporarily attached to a motor vehicle designed to transport property, the motor vehicle shall be subject to the fees imposed by this section. The camper shall be deemed to be a load, and fees imposed by this section upon the motor vehicle shall be based upon the unladen weight of the motor vehicle, exclusive of the camper.

(a) For any electric vehicle designed, used, or maintained as described in this section, fees shall be paid for registration according to the following schedule:

Unladen Weight	Fee
Less than 6,000 lbs.	\$ 87
6,000 lbs. or more but less than 10,000 lbs.	266
10,000 lbs. or more	358

(b) For any motor vehicle having not more than two axles and designed, used, or maintained as described in this section, other than an electric vehicle, fees shall be paid for registration according to the following schedule:

Unladen Weight	Fee
Less than 3,000 lbs.	\$ 8
3,000 lbs. to and including 4,000 lbs.	24
4,001 lbs. to and including 5,000 lbs.	80
5,001 lbs. to and including 6,000 lbs.	154
6,001 lbs. to and including 7,000 lbs.	204
7,001 lbs. to and including 8,000 lbs.	257
8,001 lbs. to and including 9,000 lbs.	308

1	9,001 lbs. to and including 10,000 lbs.	360
2	10,001 lbs. to and including 11,000 lbs.	409
3	11,001 lbs. to and including 12,000 lbs.	462
4	12,001 lbs. to and including 13,000 lbs.	513
5	13,001 lbs. to and including 14,000 lbs.	563
6	14,001 lbs. and over	616

7

8 (c) For any motor vehicle having three or more axles;
 9 ~~or for any trailer, semitrailer, pole or pipe dolly, logging~~
 10 ~~dolly, or other dolly~~ designed, used, or maintained as
 11 described in this section, other than an electric vehicle,
 12 fees shall be paid for registration according to the
 13 following schedule:

14

15	Unladen Weight	Fee
16	2,000 lbs. to and including 3,000 lbs.	\$ 43
17	3,001 lbs. to and including 4,000 lbs.	77
18	4,001 lbs. to and including 5,000 lbs.	154
19	5,001 lbs. to and including 6,000 lbs.	231
20	6,001 lbs. to and including 7,000 lbs.	308
21	7,001 lbs. to and including 8,000 lbs.	385
22	8,001 lbs. to and including 9,000 lbs.	462
23	9,001 lbs. to and including 10,000 lbs.	539
24	10,001 lbs. to and including 11,000 lbs.	616
25	11,001 lbs. to and including 12,000 lbs.	693
26	12,001 lbs. to and including 13,000 lbs.	770
27	13,001 lbs. to and including 14,000 lbs.	847
28	14,001 lbs. to and including 15,000 lbs.	924
29	15,001 lbs. and over	1,016

30

31 (d) This section ~~shall~~ is not be applicable to any vehicle
 32 ~~which~~ *that* is operated or moved over the highway
 33 exclusively for the purpose of historical exhibition or
 34 other similar noncommercial purpose.

35 (e) The fee changes effected by this section apply to
 36 (1) initial or original registration on or after January 1,
 37 1995, *and prior to December 31, 2000*, of any commercial
 38 vehicle never before registered in this state and (2) to
 39 renewal of registration of any commercial vehicle whose

registration expires on or after January 1, 1995 and prior to January 1, 2000.

(f) ~~This section shall become operative on July 1, 1994.~~ Any registration of a commercial vehicle subject to this section for which the following apply:

(1) The initial or original registration fee is due on or after December 31, 2000, or any vehicle not previously registered in this state.

(2) The renewal of registration of any vehicle for which the registration period expires on or after December 31, 2000, shall be assessed fees based on this section.

SEC. 47. Section 9400.1 is added to the Vehicle Code, to read:

9400.1. In addition to any other registration fee, there shall be paid the fees set forth in this section for the registration of commercial motor vehicles operated either singly or in combination with a declared gross vehicle weight of 10,001 pounds or more.

Gross Vehicle Weight Range	Fee
10,001–14,999	\$ 250
15,000–19,999	450
20,000–26,000	600
26,001–29,999	750
30,000–34,999	900
35,000–39,999	1,000
40,000–44,999	1,100
45,000–49,999	1,250
50,000–54,999	1,350
55,000–59,999	1,400
60,000–64,999	1,500
65,000–69,999	1,600
70,000–74,999	1,650
75,000–80,000	1,700

The fee changes effected by this section apply to (1) initial or original registration on and after December 31, 2000, of any commercial motor vehicle operated either

1 *singly or in combination with a declared gross vehicle*
2 *weight of 10,001 pounds or more and (2) to renewal of*
3 *registration of any commercial motor vehicle operated*
4 *either singly or in combination, with a declared gross*
5 *vehicle weight of 10,001 pounds or more for which*
6 *registration expires on or after December 31, 2000.*

7 *SEC. 48. Section 9406 of the Vehicle Code is amended*
8 *to read:*

9 *9406. Alterations or additions to registered vehicles*
10 *for which fees have been paid under Section 9400 or*
11 *9400.1 placing the vehicles in weight fee classifications*
12 *under Section 9400 or 9400.1 greater than the weight fees*
13 *previously paid shall be reported to the department and*
14 *at the same time the difference between the weight fee*
15 *previously paid, reduced as provided in Section 9407, and*
16 *the greater weight fee, reduced as provided in Section*
17 *9407, shall be paid to the department upon the operation*
18 *of the vehicles in the greater weight fee classification*
19 *under Section 9400 or 9400.1.*

20 *SEC. 49. Section 9406.1 is added to the Vehicle Code,*
21 *to read:*

22 *9406.1. Prior to operation of a vehicle at a certified*
23 *declared gross vehicle weight greater than reported to,*
24 *and registered by, the department, the owner shall make*
25 *application to the department and pay all appropriate*
26 *fees.*

27 *SEC. 50. Section 9554.2 is added to the Vehicle Code,*
28 *to read:*

29 *9554.2. Upon the operation of a commercial motor*
30 *vehicle at a greater gross vehicle weight than that that*
31 *had been reported to and registered by the department,*
32 *a new registration application shall be made to the*
33 *department. The greater declared gross vehicle weight*
34 *fee and applicable penalties as defined in Sections 9406*
35 *and 9559 shall be paid to the department.*

36 *SEC. 51. Section 27910 is added to the Vehicle Code,*
37 *to read:*

38 *27910. The Department of the California Highway*
39 *Patrol shall initiate a 12-month study to determine an*
40 *effective means to enforce the provisions of the*

Commercial Vehicle Registration Act of 2000. The Department of the California Highway Patrol, after consultation with representatives from the Department of Transportation, the Board of Equalization, the Department of Motor Vehicles, and the commercial vehicle industry, shall provide, on or before _____, recommendations to the Legislature for actions to be taken to ensure compliance with that act.

SEC. 52. Section 36010 of the Vehicle Code is amended to read:

36010. A “farm trailer” is either of the following:

(a) A trailer or semitrailer owned and operated by a farmer in the conduct of agricultural operations, and used exclusively to transport agricultural products upon the highway to the point of first handling and return.

(b) A trailer or semitrailer equipped with rollers on the bed, with a frame not taller than 10 inches high, and with a gross vehicle weight rating of ~~6,000~~ 10,000 pounds or less, that is owned, rented, or leased by a farmer and operated by that farmer in the conduct of agricultural operations, used exclusively to transport fruit and vegetables upon the highway to the point of first handling and return, and that was manufactured and in use prior to January 1, 1997. These vehicles may also be operated on the highways without a load for the purposes of delivering a rented or leased vehicle to the renting or leasing farmer’s farm, or returning empty to the owner’s premises.

SEC. 53. Section 36109 of the Vehicle Code is amended to read:

36109. “Farm trailers,” as defined in Section 36010, having a gross weight of ~~6,000~~ 10,000 pounds or less, are exempt from registration except that Section 5014 shall apply to such trailers.

SEC. 54. Section 42030.1 is added to the Vehicle Code, to read:

42030.1. (a) Every person convicted of a violation of any declared gross vehicle weight limitation provision of this code, shall be punished by a fine that equals the amounts specified in the following table:

	<i>Pounds in excess of the declared gross vehicle weight</i>	<i>Fine</i>
1		
2		
3	1,001–1,500	\$ 250
4	1,501–2,000	300
5	2,001–2,500	350
6	2,501–3,000	400
7	3,001–3,500	450
8	3,501–4,000	500
9	4,001–4,500	550
10	4,501–5,000	600
11	5,001–6,000	700
12	6,001–7,000	800
13	7,001–8,000	900
14	8,001–10,000	1,000
15	10,001 and over	2,000

16
 17 *(b) No part of the penalties prescribed by this section*
 18 *shall be suspended for a conviction of any of the following:*

19 *(1) Section 40001 for requiring operation of a vehicle*
 20 *upon a highway in violation of any provision referred to*
 21 *in this section.*

22 *(2) Any provision referred to in this section when a*
 23 *second or subsequent conviction of a violation thereof*
 24 *occurs within three years immediately preceding the*
 25 *violation charged.*

26 *SEC. 55. On or before January 1, 2002, and annually*
 27 *thereafter, the Department of Transportation, in*
 28 *consultation with the Department of the California*
 29 *Highway Patrol, the Department of Motor Vehicles, the*
 30 *Board of Equalization, and the commercial vehicle*
 31 *industry, shall review and report to the Legislature its*
 32 *findings and, if applicable, make any recommendation as*
 33 *to the necessary adjustments in the fee schedule, to*
 34 *ensure that revenue neutrality is obtained and*
 35 *maintained for all affected entities and funds.*

36 *SEC. 56. No reimbursement is required by this act*
 37 *pursuant to Section 6 of Article XIII B of the California*
 38 *Constitution because the only costs that may be incurred*
 39 *by a local agency or school district will be incurred*
 40 *because this act creates a new crime or infraction,*

eliminates a crime or infraction, or changes the penalty for a crime or infraction, within the meaning of Section 17556 of the Government Code, or changes the definition of a crime within the meaning of Section 6 of Article XIII B of the California Constitution.

amended to read:

~~260. (a) A “commercial vehicle” is a vehicle, including but not limited to, trailers and semitrailers, of a type required to be registered under this code used or maintained for the transportation of persons for hire, compensation, or profit or designed, used, or maintained primarily for the transportation of property.~~

~~(b) Passenger vehicles that are not used for the transportation of persons for hire, compensation, or profit and housecars are not commercial vehicles. This subdivision shall not apply to Chapter 4 (commencing with Section 6700) of Division 3.~~

~~(c) Any vanpool vehicle is not a commercial vehicle.~~

~~(d) The definition of a commercial vehicle in this section does not apply to Chapter 7 (commencing with Section 15200) of Division 6.~~

~~SEC. 2. Section 288 is added to the Vehicle Code, to read:~~

~~288. “Declared combined gross vehicle weight” means weight that equals the total unladen weight of the combination of vehicles plus the heaviest load that may be transported by that combination of vehicles.~~

~~SEC. 3. Section 289 is added to the Vehicle Code, to read:~~

~~289. “Declared gross vehicle weight” means weight that equals the total unladen weight of the vehicle plus the heaviest load that may be transported on the vehicle.~~

~~SEC. 4. Section 390 of the Vehicle Code is amended and renumbered to read:~~

~~350. (a) “Gross vehicle weight rating” (GVWR) means the weight specified by the manufacturer as the loaded weight of the single vehicle.~~

~~(b) Gross combination weight rating (GCWR) means the weight specified by the manufacturer as the loaded weight of a combination or articulated vehicle. In the~~

~~1 absence of a weight specified by the manufacturer;~~
~~2 GCWR shall be determined by adding the GVWR of the~~
~~3 power unit and the total unladen weight of the towed~~
~~4 units and any load on those units.~~

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